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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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JOHN E. CURTIN
HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 8910
RESTON, VA 20195

EXAMINER	
GEORGE, KEITH M	

ART UNIT	PAPER NUMBER
2663	10

DATE MAILED: 12/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

TS

Office Action Summary	Application No.	Applicant(s)	
	09/280,618	CHAMBERS, MAHDI S.	
	Examiner	Art Unit	
	Keith M. George	2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 October 2003*.

2a)☒ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-4, 11-16, 19, 23-29, 32-36 and 41 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Bharucha et al., U.S. Patent 6,021,136, hereinafter Bharucha.

3. Referring to claim 1, 19 and 41 Bharucha teaches a telecommunication network that establishes a telephone call from a first location that generates compressed voice packets to a second location (routing calls over a communications network from an origin location to a destination location) (abstract). In figure 3, Bharucha teaches a network that includes switches 54, 60 and 56. Each switch is coupled an interworking function (IWF) 52, 30 and 58. Switch 54 (a first switch serving the origin location) receives a signaling information message from end user equipment 16 (receiving signaling data) (column 3, lines 37-40 and 51-52). Switch 54 determines whether location 14 uses compressed voice technology (IP based call type). This determination is done by querying network database 70 which has information on all locations coupled to network 50 (determining call type from signaling data) (column 3, lines 53-67). If it is determined that location 14 does not use compressed voice, the packets are sent to location 14 through switches 54 and 56 in the same manner as typical uncompressed voice packets are transmitted through the PSTN (non-IP based voice call type) (column 4, lines 1-6). Bharucha then goes on to teach in column 4, lines 20-54 the method of directing signaling data to the destination location that has been determined to establish the call. Bharucha also teaches that

upon receipt of the positive response from IWF 52, switch 54 will send an Initial Address Message (IAM) to switch 60 (second switch). The IAM sent to switch 60 informs switch 60 of an incoming packet stream for IWF 30 on AAL2 connection 702, CID 802 and the E.164 address of the final destination of the call (controlling second switch serving the destination location to direct traffic data from the origin location to the destination associated with the first or second call type) (column 4, lines 60-64). It has also been clearly established that the second switch referred to by Bharucha is configured to direct compressed traffic (IP based voice call type) as is clearly described above, but also uncompressed voice packets (non-IP based voice call type) as was shown in column 4, liens 1-6).

4. Referring to claim 2, Bharucha teaches the method described in reference to claim 1 above where it is inherent that there are a plurality of signaling messages which implies that there are an initial and following message.

5. Referring to claim 23, Bharucha teaches the method described in reference to claim 1 above where it has been clearly shown if figure 3 that the IWF receives instructions from the switch to either process the compressed voice (first protocol) or convert the data to uncompressed voice (second protocol). The Switch and the IWF then transmit the control information and voice information to the appropriate destinations. While only one destination, 14, is shown in figure 3, it is simply a representation of a plurality of destinations which can either support compressed or uncompressed voice.

6. Referring to claims 3, 4, 24-28, Bharucha teaches the method described in reference to claims 1 and 23 above where it has been clearly shown that the switch determines whether location 14 uses compressed voice technology by querying network database 70 which has

information on all locations coupled to network 50 (matching called directory numbers with an entry of a predetermined table) (column 3, lines 63-67).

7. Referring to claims 11, 12, 32 and 33, Bharucha teaches the method described in reference to claims 1 and 23 above where it is has been clearly shown in figure 3 that the call will terminate either on switch 56 (class 5 switch) or IWF 58 (remote access server).

8. Referring to claims 13 and 34, Bharucha teaches the method described in reference to claims 1 and 23 above and that the IAM sent to switch 60 informs the switch of the E.164 address of the final destination of the call (set up a connection through the second switch to a port connected to the destination location) (column 4, lines 60-64).

9. Referring to claim 14, Bharucha teaches the method described in reference to claim 12 above and that compressed packetized voice cab be carried over an ATM virtual connection as minipackets using an ATM Adaption Layer-2 (column 1, lines 37-42).

10. Referring to claims 15 and 35, Bharucha teaches the method described in reference to claims 1 and 23 above and also teaches that a compressed voice call takes place between two locations that both subscribe to the same compressed voice digital access service (i.e., ATM), which inherently will include ATM switches (column 1, lines 55-57).

11. Referring to claims 16 and 36, Bharucha teaches the method described in reference to claims 1 and 23 above and also clearly teaches that the network shown in figure 1 can be an ATM network (column 1, line 58).

12. Referring to claim 29, Bharucha teaches the method described in reference to claim 23 above and also clearly teaches that the IWF receives instructions from the switch to either process the compressed voice (first protocol) or convert the data to uncompressed voice (second

protocol). The uncompressed voice is clearly a voice call and the compressed voice, while containing voice data, appears as a data call to the network.

Claim Rejections - 35 USC § 103

13. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

14. Claims 17 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bharucha. Bharucha teaches the method described in reference to claims 1 and 23 above with the possible exception of transferring call detail information to a call accounting system. Official Notice is taken that networks used to transfer voice and/or data from one user to another have the well-known capability to track that data and send the data to an accounting system. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to track the data between two users and send the data to an accounting system. One of ordinary skill in the art would have been motivated to do this in order to generate a bill for the usage of the network that can be used to receive payment from the end users.

15. Claims 5-9, 18, 20-22, 30, 31, and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bharucha in view of Deschaine et al., U.S. Patent 6,327,258 hereinafter Deschaine.

16. Referring to claims 5-9, 30, 31, 39 and 40, Bharucha teaches the method described in reference to claims 1 and 23 above with the possible exception of a first protocol and a second protocol, translating the signaling message from the first to the second protocol and then forwarding it to the appropriate destinations. Deschaine discloses a method comprising, first

protocol (i.e. col. 4, ll. 32-33, SS7) and second protocol (i.e. col. 5, ll. 10-12, Q.931), translating the signaling message from the first to second protocol and forward to appropriate destinations (i.e. col. 5, ll. 9-12, SS7 signaling is converted to Q.931 for use over standard interface and network terminator 54 provides the signal interface). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to convert the protocol transmitted by Bharucha to standard signaling message over standard interface as taught by Deschaine. One of ordinary skill in the art would have been motivated to do this because the use of standards allows for interoperability among many diverse components.

Referring to claims 18 and 38, Bharucha teaches the method described in reference to claims 1 and 23 above with the possible exception that the call information is selected form the group consisting of start time stamp, end time stamp, called party directory number, called party sub-address, calling party directory number, calling party sub-address, disconnect reason, inbound B-channel, outbound B-channel, inbound circuit identification code, outbound circuit identification code, inbound node identification, and outbound node identification. However, Deschaine shows that the system includes management information (i.e. fig. 5, 50). start time stamp, end time stamp, called party directory number, called party sub-address, calling party directory number, calling party sub-address, disconnect reason, inbound B-channel, outbound B-channel, inbound circuit identification code, outbound circuit identification code, inbound node identification, and outbound node identification are well known in the art in the area of telecommunication routing. Therefore, it would have been obvious to an ordinary person skilled in the art to include selecting from this group with the method and apparatus of Bharucha. The

motivation is to allow the user to use another network that is available in order to reduce congestion of the telephone network.

17. Referring to claims 20-22, Bharucha teaches the method described in reference to claim 19 above with the possible exception of translating a first protocol to a second protocol. Deschaine discloses a router comprising receiving setup information of first protocol (i.e. col. 5, ll. 22-53, received SS7 message), determine call type (i.e. col. 5, ll. 22-25), for normal calls, it's forwarded (i.e. col. 5, ll. 26-35), translating to second protocol for second call type (i.e. col. 5, ll. 6-11, signaling between line access switching end office switch and STP are done using standard signaling message Q.931 which are converted and forwarded from original signaling messages), controlling switch ATM switch (i.e. col. 6, ll. 25-54, EO uses master controller to control routing and inform the ATM switch for ATM network 46). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the router taught by Deschaine in the system of Bharucha. One of ordinary skill in the art would have been motivated to this in order to avoid congestion on a PSTN caused by long hold times of Internet calls (Deschaine, column 1, line 66 - column 2, line 2).

Response to Arguments

18. Applicant's arguments with respect to claims 1-41 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith M. George whose telephone number is 703-305-6531. The examiner can normally be reached on M-Th 7:00-4:30, alternate F 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on 703-308-5340. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Keith M. George
19 December 2003

CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 12/19/03